

#7  
4-9-03  
KS  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Zigurd MEDNICKS

) Examiner: Gerald Gauthier  
)  
)

Serial No.: 09/691,518

) Art Unit: 2645  
)  
)

Filed: October 18, 2000

For: **VOICE PROMPTED USER  
INTERFACE FOR CENTRAL  
SWITCH TELEPHONE  
PROGRAMMING**

RECEIVED

MAR 07 2003

Technology Center 2600

Attorney Docket No.:  
BZM-00101  
67951

Certificate of Mailing under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below as first class mail in an envelope addressed to Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231.

DATED: 2-28-03

*Annmarie Sullivan*  
Annmarie Sullivan

Commissioner for Patents  
Washington, DC 20231

**REVOCATION OF PRIOR POWERS OF ATTORNEY  
AND APPOINTMENT OF NEW ATTORNEY**

Dear Sir:

The undersigned, being the owner of the entire right, title and interest in and to the application of Zigurd MEDNICKS, Serial No. 09/691,518, filed October 18, 2000, for

**VOICE PROMPTED USER INTERFACE FOR  
CENTRAL SWITCH TELEPHONE PROGRAMMING**

hereby revokes all former Powers of Attorney and appoints as attorneys in the above-identified application, to prosecute this application, to make alterations and amendments

therein, and to transact all business in the Patent and Trademark Office connected therewith:

Scott C. Rand  
Jeremy T. Walker

Reg. No. 40,359  
Reg. No. 45,191

whose post office address is: McLANE, GRAF, RAULERSON & MIDDLETON, PA  
900 Elm Street, PO Box 326  
Manchester, NH 03105-0326

Please direct all correspondence and telephone calls to:



Customer Number: 25702 Bar Code Label:

25702


PATENT, TRADEMARK OFFICE

Scott C. Rand, Esq.  
McLANE, GRAF, RAULERSON & MIDDLETON, PA  
900 Elm Street, PO Box 326  
Manchester, NH 03105-0326  
(603) 628-1461 (tel)  
(603) 625-5650 (fax)

Respectfully submitted,

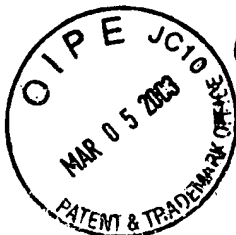
FOTO-FONE, INC.

Date: 2/25/03

By:   
(signature)

ANDREW MEYERSON  
(typed or printed name of person signing)

Its: CEO + PRES  
(title)



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Zigurd MEDNICKS

) Examiner: Gerald Gauthier  
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DATED: 2-28-03

*Annmarie Sullivan*  
Annmarie Sullivan

Commissioner for Patents  
Washington, DC 20231

**ELECTION UNDER 37 C.F.R. 3.71 TO PROSECUTE APPLICATION  
TO THE EXCLUSION OF INVENTOR AND PREVIOUS ASSIGNEES**

Dear Sir:

As the ASSIGNEE of the entire right, title and interest of the above referenced application, FOTO-FONE, INC., hereby elects under 37 C.F.R. 3.71 to prosecute application Serial No. 09/691,518, filed October 18, 2000, for:

**VOICE PROMPTED USER INTERFACE FOR  
CENTRAL SWITCH TELEPHONE PROGRAMMING**

Under 37 C.F.R. 3.71, said prosecution will be to the exclusion of the inventor and assignee(s) previously entitled to conduct prosecution. The Assignment to FOTO-FONE, INC., was filed for recordation in the United States Patent and Trademark Office on February 14, 2003.

Respectfully submitted,

FOTO-FONE, INC.

Date: 2/25/03

By:   
(signature) ANDREW MEYERSON

CEO + PRES  
(typed or printed name of person signing)

Its: \_\_\_\_\_  
(title)



### PERSON AUTHORIZED TO SIGN

3. I, the person signing below, whose Title is supplied below, state that I am empowered to sign this statement on behalf of the Assignee.

### BASIS OF ASSIGNEE'S INTEREST

4. Ownership by the Assignee is established as follows:

An Assignment from inventor Zigurd MEDNICKS of the matter identified above to BIZFON, INC., was recorded in the U.S. Patent and Trademark Office on October 18, 2000, at Reel 011328, Frame 0655.

A Certificate of Name Change of BIZFON, INC., to BFI LIQUIDATION CORP. was filed for recordation in the U.S. Patent and Trademark Office on February 12, 2003. The Reel and Frame number have not yet been received from the PTO.

An Assignment from BFI LIQUIDATION CORP. to FOTO-FONE, INC., was recorded in the U.S. Patent and Trademark Office on February 14, 2003. The Reel and Frame number have not yet been received from the PTO.

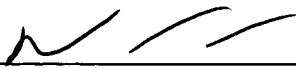
### COPIES OF DOCUMENTS IN CHAIN OF TITLE

5. A copy of each of the assignment(s) and/or other document(s) in the chain of title is attached.

Respectfully submitted,

FOTO-FONE, INC.

Date: 2/25/03

By:   
(signature)

ANDREW MEYERSON  
(typed or printed name of person signing)

Its: CEO + PRES  
(title)

M:\DATA\6\67951\scr\00198061.DOC

ASSIGNMENT

WHEREAS, the Undersigned has developed certain inventions described in a U.S. patent application, entitled: **VOICE PROMPTED USER INTERFACE FOR CENTRAL SWITCH TELEPHONE PROGRAMMING** executed on even date herewith, and has full right to convey his entire interest, both legal and equitable, in and to said invention free from all prior assignments, agreements, licenses, mortgages, security interests, or other encumbrances whatsoever; and

WHEREAS, Bizfon, Inc. ("ASSIGNEE"), a corporation of the state of Delaware, is desirous of acquiring the entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the undersigned, the undersigned does hereby sell, assign, transfer and set over unto said Assignee, its successors and assigns, the entire right, title and interest throughout the world in and to said invention or inventions, as described in the aforesaid application, in any form or embodiment thereof, and in and to the aforesaid application; and in and to any application filed in the U.S. or any foreign country based thereon, including the right to file said applications and claim priority under the provisions of any U.S. or international convention or treaty; also the entire right, title and interest throughout the world in and to any and all patents or reissues or extensions thereof to be obtained in this or any foreign country upon said invention or inventions and any divisional, continuation, continuation-in-part or substitute applications which may be filed upon said invention or inventions in this or any foreign country; and the undersigned hereby authorize and request the issuing authority to issue any and all patents on said application or applications to said Assignee or its successors and assigns.

The undersigned further agrees, without any further payment or compensation by said Assignee or its successors and assigns, to communicate to said Assignee, its representatives or agents or its successors and assigns, any facts relating to said invention or inventions including evidence for interference purposes or for other legal proceedings whenever requested; testify in any interference or other legal proceedings, whenever requested; execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective; and generally do everything possible to aid said Assignee, its successors or assigns and nominees to secure, obtain and enforce proper patent protection for said invention or inventions in this or any foreign country.

IN TESTIMONY WHEREOF, the undersigned has hereunto set his hand and seal on the date after his signature.

10/16/2000  
Date

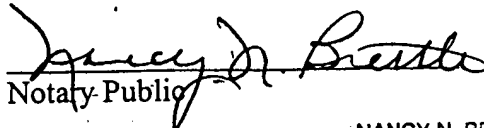
  
Zigurd MEDNIEKS

STATE OF Massachusetts

339-60-7925, SS.

October 16, 2000

Now comes the aforementioned **Zigurd MEDNIEKS**, personally known to me, and acknowledged he executed the foregoing of his own free act and deed, before me.

  
Notary Public

My Commission Expires: **NANCY N. BRETTE, Justice of the Peace**  
My Commission Expires May 10, 2005

**CERTIFICATE OF AMENDMENT TO THE  
AMENDED AND RESTATED  
CERTIFICATE OF INCORPORATION OF  
BIZFON, INC.  
UNDER SECTION 303 OF THE DELAWARE GENERAL CORPORATION LAW**

Bizfon, Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Corporation"), and originally incorporated under the name "Cyberfax Corporation" on November 4, 1996 with a change of name to "Personal Communications Technologies, Inc." on August 5, 1997, does hereby certify as follows:

FIRST, that the Board of Directors of said Corporation has by unanimous written consent adopted the following resolution providing for an amendment to the Restated Certificate of Incorporation of the Corporation pursuant to an order issued by the United States Bankruptcy Court for the District of New Hampshire. Bankruptcy proceedings commenced August 10, 2001 with a Confirmation Hearing on May 1, 2002:

"RESOLVED: That Article I of the Amended and Restated Certificate of Incorporation of Bizfon, Inc. shall be amended in its entirety to read as follows:

"The name of the Corporation shall be "BFI Liquidation Corp." (the "Corporation").

SECOND, said amendment has been adopted in accordance with the provisions of Section 228 and Section 303 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, I have made and signed this Amendment this 10<sup>th</sup> day of May, 2002 and the statements contained herein are true under penalties of perjury.

**BIZFON, INC.**

  
L. Michael Hone

Director and Chief Executive Officer



## ASSIGNMENT

ASSIGNMENT made this 15 day of January, 2003, by BFI LIQUIDATION CORP. (f/k/a BIZFON, INC.), a Delaware corporation (the "ASSIGNOR"), to FOTO-FONE, INC., a Delaware corporation having a usual place of business at 50 Stiles Road, Salem, New Hampshire (the "ASSIGNEE").

WHEREAS, ASSIGNOR, has entered into an Asset Purchase Agreement, dated as of April 11, 2002 (the "Agreement"), with ASSIGNEE, pursuant to which ASSIGNOR has agreed to sell and ASSIGNEE has agreed to purchase certain inventions described in U.S. Patent Application Serial No. 09/691,518, filed on October 18, 2000 (Attorney Docket No. BZM-00101), entitled:

### VOICE PROMPTED USER INTERFACE FOR CENTRAL SWITCH TELEPHONE PROGRAMMING

WHEREAS, ASSIGNOR is the owner of said inventions and the assignee of record of said application Serial No. 09/691,518, recorded in the U.S. Patent & Trademark Office on October 18, 2000, at reel/frame 011328/0655;

WHEREAS, in connection with the consummation of the transactions under the Agreement, ASSIGNOR desires to assign to ASSIGNEE all of ASSIGNOR'S right, title and interest in and to said inventions and said application; and

WHEREAS, ASSIGNEE desires to acquire all of ASSIGNOR'S right, title and interest in and to said inventions and said application.

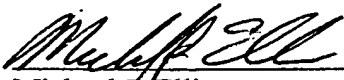
NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR does hereby sell, assign, transfer and set over unto ASSIGNEE and its successors and assigns the entire right, title and interest in the United States and its territorial possessions and in all foreign countries, to said inventions, as described in the aforesaid application, in any form or embodiment thereof, and in and to the aforesaid application; and in and to any application filed in the United States or any foreign country based thereon, including the right to file said applications and claim priority under the provisions of any U.S. or international convention or treaty; also the entire right, title and interest throughout the world in and to any and all patents, reissues, re-examinations or extensions thereof to be obtained in this or any foreign country upon said inventions, and any continuation, continuation-in-part, divisional, renewal, or substitute application thereof which may be filed upon said inventions in this or any foreign country; ASSIGNOR hereby authorizes and requests the issuing authority to issue any and all patents on said application or applications to said ASSIGNEE or its successors and assigns; and as to any and all patents, reissues, re-examinations, or extensions thereof, all rights of action in relation to any infringement of said patents, reissues, re-examinations, or extensions thereof by third parties at or prior to the date hereof, to be held and enjoyed by ASSIGNEE for its own use as fully and entirely as to same would have been held and enjoyed by ASSIGNOR had this Assignment not

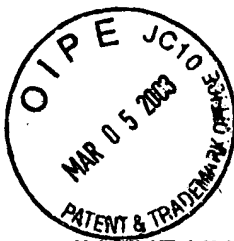
been made.

ASSIGNOR further agrees, without any further payment by ASSIGNEE or its successors or assigns, to communicate to said ASSIGNEE, its representatives or agents or its successors and assigns; any facts and documents relating to said inventions and said application and legal equivalents as may be known and accessible to ASSIGNOR, including evidence for interference purposes or for other legal proceedings whenever requested; to testify as to the same in any interference or other legal proceedings, whenever requested; and to promptly execute and deliver to ASSIGNEE, its representatives or agents or its successors and assigns, any and all lawful papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, inventions and patents, and said equivalents thereof, or required to make any of the foregoing provisions effective or which may be necessary or desirable to carry out the purposes thereof.

ASSIGNOR:

BFI LIQUIDATION CORP.  
f/k/a/ BIZFON, INC.

By:   
Its: Michael J. Ellis  
Chief Financial Officer



2645  
**PATENT**

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In re Application of:  
Zigurd MEDNICKS

) Examiner: Gerald Gauthier  
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Serial No.: 09/691,518

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DATED: 2-28-03

*Annmarie Sullivan*  
Annmarie Sullivan

Commissioner for Patents  
Washington, DC 20231

**TRANSMITTAL LETTER**

Dear Sir:

Please find transmitted herewith:

(1) an *Election* under 37 C.F.R. § 3.71;  
(2) a *Statement* under 37 C.F.R. § 3.73(b);  
(3) an *Assignment* from inventor Mednicks to BIZFON, INC. (previously recorded in the U.S. Patent and Trademark Office on October 18, 2000, at Reel 011328, Frame 0655).

(4) a *Certificate of Name Change* of BIZFON, INC., to BFI LIQUIDATION CORP. (previously recorded in the U.S. Patent and Trademark Office on February 12, 2003).

(5) an *Assignment* from BFI LIQUIDATION CORP. to FOTO-FONE, INC.  
(previously recorded in the U.S. Patent and Trademark Office on February 14, 2003).

(6) a *Revocation of Prior Powers and Appointment of New Attorney*;

Applicant requests that the correspondence address be changed as specified in the accompanying *Revocation of Prior Powers and Appointment of New Attorney* and that all pertinent U.S. Patent and Trademark Office records be updated to reflect this change.

Respectfully submitted,



February 28, 2003

\_\_\_\_\_  
Scott C. Rand; Reg. No. 40,359  
McLANE, GRAF, RAULERSON &  
MIDDLETON, PA  
900 Elm Street, P.O. Box 326  
Manchester, NH 03105-0326  
(603) 628-1461 (tel)  
(603) 625-5650 (fax)